

PROB 12C
(Rev. 2/13)

UNITED STATES DISTRICT COURT

for

DISTRICT OF NORTH DAKOTA

Petition for Warrant or Summons for Person under Supervision

Name of Person Under Supervision: Rode Wayne Vocu Case Number: 0868 1:19CR00086

Name of Sentencing Judicial Officer: Daniel L. Hovland, U.S. District Court Judge

Date of Original Sentence: December 9, 2019

Original Offense: Arson

Original Sentence: 27 months incarceration and 3 years supervised release

Type of Supervision: TSR Date Supervision Commenced: 11/30/2021

Asst. U.S. Attorney: Gary Delorme Defense Attorney: Scott Rose

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the person under supervision has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
1)	On January 06, 2022, Rode Vocu provided a drug screen which was positive for alcohol, Vocu admitted to having consumed alcohol the day prior. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs.
2)	On August 07, 2022, Three Affiliated Tribes Law Enforcement responded to an unresponsive male, who was later identified as Rode Vocu. Vocu required one dosage of Narcan. Vocu was in possession of a blue pill which was field tested and was presumptive positive for fentanyl. Vocu was found guilty in Fort Berthold District Court of Ingestion of a Controlled Substance, Possession of a Controlled Substance, and Possession of Drug Paraphernalia in case number CR-2022-0881. This is in violation of mandatory condition number one (1) which states you must not

PROB 12C
(Rev. 2/13)
Vocu, Rode
0868 1:19CR00086

commit another federal, state or local crime and mandatory condition number two (2) which states you must not unlawfully possess a controlled substance.

- 3) **On October 14, 2022, Rode Vocu provided a drug screen which was positive for marijuana, Vocu admitted to having ingested the controlled substance. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs.**
- 4) **On November 22, 2022, Rode Vocu provided a drug screen which was positive for marijuana, methamphetamine, and fentanyl. Vocu denied ingesting fentanyl and methamphetamine, however, it was confirmed positive by the toxicology lab. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs.**
- 5) **On December 22, 2022, Rode Vocu was arrested by Mountrail County Sheriff's Department for Possession of Drug Paraphernalia. Vocu pled guilty to the Misdemeanor A offense in case number 31-2022CR-00369. This is in violation of mandatory condition number one (1) which states you must not commit another federal, state or local crime.**
- 6) **Rode Vocu has failed to maintain a lawful type of employment. This is in violation of standard condition number seven (7) which states you must work at least 30 hours per week at a lawful type of employment.**
- 7) **Rode Vocu has failed to make regular restitution payments. This is in violation of mandatory condition number four (4) which states you must make restitution in accordance with 18 U.S.C. § 3663 and 3663A or any other statute authorizing a sentence of restitution.**
- 8) **Rode Vocu has failed to report to probation as directed on several occasions. This is in violation of standard condition number two (2) which states you must report to the probation officer as instructed.**
- 9) **On January 31, 2024, Rode Vocu admitted to ingesting marijuana. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs**
- 10) **On March 30, 2024, Rode Vocu was arrested by Three Affiliated Tribes Police Department for Disorderly Conduct and Domestic Violence. This is in violation of mandatory condition number one (1) which states you must not commit another federal, state or local crime.**
- 11) **On March 30, 2024, Rode Vocu removed his GPS location monitoring device from his ankle without approval while in custody at the Tex Fox Justice Center. This is in violation of his modified conditions dated February 5, 2024, which states you will be monitored by location monitoring for a period of 90 days.**

U.S. Probation Officer Recommendation: It is respectfully recommended that a warrant be issued for the arrest of Rode Vocu and hearings be held to determine if he has violated the terms and conditions of his supervised release.

PROB 12C
(Rev. 2/13)
Vocu, Rode
0868 1:19CR00086

☒ The term of supervision should be:

☒ Revoked.

☐ Extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 1, 2024

/s/ Fallon Clouse
Supervisory U.S. Probation Officer

THE COURT ORDERS:

☐ No Action.

☒ The Issuance of a Warrant/Matter Sealed Pending Arrest.

☐ The Issuance of a Summons.

☐ Other



Signature of Judicial Officer



Date